THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.13532 OF 2006

DATE: 04th July 2006

Between:

1. K.Rajamallu, son of Nagaiah,
   aged 46 years, employee in
   Singareni Collieries, resident
   of Godavari Khani, Karimnagar
   District and 3 others.

.... Petitioners.

And

1. The Registrar of Cooperative Societies
   and Commissioner for Cooperation,
   Government of A.P., Hyderabad
   And 4 others.

.... Respondents.

* * *

ORDER:

This writ petition is filed seeking writ of Mandamus declaring the inaction of first respondent in initiating proceedings against respondents 2 to 5 under Sections 31, 33 and 38 of A.P. Mutually Aided Cooperative Societies Act, 1995 (for short 'the Act'), and in not recovering amounts misappropriated by them, as arbitrary and illegal.

2. It appears that a large-scale fraud purported to have played by respondents 3 to 5 was brought to the notice of the authorities and the first respondent ordered enquiry under Section 29 of the

Act. The Divisional Cooperative Officer, Peddapalli, Karimnagar District, conducted a detailed enquiry and submitted an elaborate report vide his letter dated 30.9.2004. According to the petitioners the said report clearly discloses that the respondents 4 and 5 were guilty of misappropriation of funds to the extent of Rs.1,46,63,530/- and the liability was fixed on them. Though enquiry report was submitted on 30.9.2004, till date no action has been taken against the respondents 2 to 5. Hence, this writ petition.

3. In view of the above, without expressing any opinion on merits, the first respondent is directed to look into the matter personally and take appropriate decision for taking further action pursuant to the report purported to have submitted by the Divisional Cooperative Officer, Peddapalli on 30.9.2004 within a period of two months from today and pass appropriate orders and communicate the same to the petitioners.

4. Accordingly, the writ petition is disposed of. No costs.

_____

C.V.RAMULU, J.

Date: 04th July 2006.
BSB